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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORLANDO NELSON, et al.,   )
)
                    Plaintiffs,   )   Case No. 2:15-cv-00724-RCJ-CWH
)
vs.   )   **REPORT & RECOMMENDATION**
)
UNITED STATES OF AMERICA, et al.,   )
)
                    Defendants.   )
_____   )

12   On April 20, 2015, the court received a letter (ECF No. 1) from Plaintiff Orlando Nelson in

13   which Plaintiff requested the Court's assistance regarding violations of Plaintiff's constitutional

14   rights. However, Plaintiff did not file a complaint or pay a filing fee. On September 23, 2015, the

15   court entered an order (ECF No. 2) requiring Plaintiff to file a complaint, along with the applicable

16   filing fee or an application to proceed *in forma pauperis*, within 30 days of the date of the court's

17   order. The court advised Plaintiff that absent a complaint, the court lacked jurisdiction to act on

18   any of Plaintiff's requests. (*Id.* at 1.) The court further advised Plaintiff that failure to comply with

19   the court's order would result in a recommendation that his case be dismissed. (*Id.* at 2.) To date,

20   Plaintiff has not filed a complaint or submitted a filing fee or an application to proceed *in forma*

21   *pauperis*. Given Plaintiffs' failure to take these steps, the undersigned will recommend that

22   Plaintiff's case be dismissed, without prejudice.

23   **RECOMMENDATION**

24   IT IS THEREFORE RECOMMENDED that Plaintiff Orlando Nelson's case be dismissed,

25   without prejudice.

26   **NOTICE**

27   This Report and Recommendation is submitted to the United States District Judge assigned

28   to this case under 28 U.S.C. § 636(b)(1). A party who objects to this Report and Recommendation

may file a written objection supported by points and authorities within fourteen days of being served with this Report and Recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the District Court's Order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).

DATED: November 9, 2015

_____
C.W. Hoffman, Jr.
United States Magistrate Judge